





UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN L. CRUISE, JR., BRIAN CONRAD, :  
KENNETH J. DIBBLE, MATTHEW A. EIRICH, :  
MICHAEL KOLOGY, PETER J. KROL, :  
EDGAR VELLOTTI, :  
Plaintiffs, :  
- against - :  
MICHAEL J. DOYLE, as General Chairman, LOCAL :  
DIVISION 9, LOCOMOTIVE ENGINEERS, :  
ASSOCIATION OF COMMUTER RAIL EMPLOYEES, :  
LOCAL DIVISION 9, LOCOMOTIVE ENGINEER :  
ASSOCIATION OF COMMUTER RAIL EMPLOYEES, :  
and MTA METRO-NORTH RAILROAD, :  
Defendants. :  
:

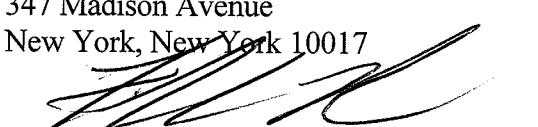
NOTICE OF MOTION IN  
SUPPORT OF DEFENDANT  
METRO-NORTH'S  
MOTION FOR A JUDGMENT  
ON THE PLEADINGS

07-CV-3940  
(Pauley, J)  
(Pitman, MJ)

PLEASE TAKE NOTICE that, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, on Friday, May 23, 2008, at 9:30 a.m., defendant Metro-North Commuter Railroad will move this Court for an order granting it a judgment on the pleadings dismissing the plaintiffs claim because plaintiffs amended complaint fails to state a claim and it is entitled to judgment as a matter of law.

Dated: New York, New York  
May 23, 2008

Respectfully submitted,  
Richard K. Bernard, General Counsel  
Metro-North Railroad Company  
Attorney For Defendants  
347 Madison Avenue  
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By:   
Frank Rinaldi (FR-4958)  
Sr. Associate Counsel